



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/560,393	04/28/2000	Michael Wayne Brown	AUS000032US1	3337

7590 01/12/2004

BRACEWELL & PATTERSON, L.L.P.
INTELLECTUAL PROPERTY LAW
P.O. BOX 969
AUSTIN,, TX 78767-0969

EXAMINER

PARTHASARATHY, PRAMILA

ART UNIT	PAPER NUMBER
----------	--------------

2136

DATE MAILED: 01/12/2004

5

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/560,393

Applicant(s)

BROWN ET AL.

Examiner

Pramila Parthasarathy

Art Unit

2133

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 July 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-63 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-63 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 April 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2 and 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1 – 63 are presented for examination

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2.1 Claims 1- 8, 12, 14, 18 – 25, 29, 31 and 35 – 39 are rejected under 35 U.S.C 102(b) as being anticipated by Janis (US Patent No. 5,263,157).

As per Claims 1,18,35 Janis teaches that receiving a plurality of authority-designated settings associated with a particular user in a particular transmittable data format at a particular authority-enabled system from among a plurality of authority-enabled systems, wherein said plurality of authority-designated settings designate levels of access to particular types of content as determined by a plurality of authorities to said particular user (Col. 2 Lines 40 – 45); only allowing access for said particular user to a selection of a plurality of types of content provided by said particular authority-enabled system that are enabled according to said authority-designated settings received at said particular

authority-enabled system, such that said particular authority-enabled system enforces an authority-designated access policy for a particular user at said particular authority-enabled system from among a plurality of authority-enabled system (Col.2 Lines 49 - 60).

As per Claims 2,19,36 Janis teaches that transmitting a description of said selection of said plurality of types of content to a computer system to output said selection of said plurality of types of content to said particular user via an output interface controlled by said computer system (Fig. 1 #12 and Col. 2 Lines 46 - 48).

As per Claims 3,20,37 Janis teaches that comparing said plurality of authority-designated settings received at said particular authority-enabled system with a plurality of advertisements at said particular authority-enabled system (Col.5 Lines 56 - 60); and controlling output: of an authority-enabled selection of said plurality of advertisements to a plurality of output interfaces controlled by said particular authority-enabled system (Col.5 Lines 60 - 66).

As per Claims 4,21,38 Janis teaches that designating specialized staff instructions at said particular authority-enabled device according to said plurality of authority-designated settings (Fig.2 #40 and Col.4 Lines 27-37); controlling output of said specialized staff instructions to an output interface controlled by said particular authority-enabled system that is accessible to a staff member (Fig.1 #12).

As per Claims 5,22,39 Janis teaches that receiving a request for an access to a particular type of content at said authority-enabled system from said particular user (Col. 5 Line 3); determining whether or not said particular type of content is included within said selection of said plurality of types of content (Col. 4 Lines 28 - 36); and transmitting a record of authorization from said particular authority-enabled system to a portable data storage medium associated with said particular user, in response to determining

that said particular type of content is included within said selection of said particular types of content (Fig. 2 and Col.6 Lines 6 - 8).

As per Claims 6,23, Janis teaches that transmitting a record of denial of authorization from said particular authority-enabled system to said portable data storage medium, in response to determining that said particular type of content is not included within said selection of said particular types of content (Col.6 Lines 11-16).

As per Claims 7,24 Janis teaches that transmitting an authorization for access to a checkpoint for accessing said particular type of content, in response to determining that said particular type of content is included within said selection of said particular types of content (Fig. 2 #46 and #50 and Col.5 Lines 49 - 52).

As per Claims 8,25 Janis teaches that receiving a selection of a plurality of user designated preferences at said particular authority enabled system, wherein said user-designated preferences are set by said particular user (Col.5 Line 3); and filtering said selection of said plurality of types of content at said particular authority-enabled processing system according to said plurality of user designated preferences (Col. 4 Lines 65 - 68).

As per Claims 12, 29 Janis teaches that only allowing access for said particular user to a particular physical location that is accessible via said particular authority-enabled system (Col.3 Lines 60 - 68 and Col.4 Lines 1 - 9).

As per Claim 14,31 Janis teaches that receiving said plurality of authority-designated settings associated with a particular user from a portable data storage medium associated with said particular user (Col.3 Lines 29-40).

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3.1. Claims 9-11, 13, 17, 26 – 28, 30, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Janis (U.S. Patent No. 5,263,157) and in view of Rabne et al. (U.S. Patent No. 6,006,332)

As per Claims 9, 26 Janis teaches that only allowing access for said particular user to a selection of visual content that is accessible via said particular authority-enabled system

Janis discloses that the content is accessible via authority-enabled system (Col.5 Lines 63 - 65). Janis does not disclose a selection of visual content. However, Rabne et al, in an analogous environment disclose that the selection of a visual content (Abstract). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the teaching of Rabne into the teachings of Janis to have the selection of content to include Visual content. The modification would have been obvious to provide a selection of diverse content.

As per Claims 10, 27 Janis teaches that only allowing access for said particular user to a selection of audio content that is accessible via said particular authority-enabled system.

Janis discloses that the content is accessible via authority-enabled system (Col.5 Lines 63 - 65). Janis does not disclose a selection of audio content. However, Rabne et al, in an analogous environment disclose that the selection of an audio content (Abstract). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was

made to incorporate the teaching of Rabne into the teachings of Janis to have the selection of content to include audio content.

As per Claims 11, 28 Janis teaches that only allowing access for said particular user to a selection of products that are accessible via said particular authority-enabled system.

Janis discloses that the content is accessible via authority-enabled system (Col.5 Lines 63 - 65). Janis does not disclose a selection of audio content. However, Rabne et al, in an analogous environment disclose that the selection of an audio content (Abstract). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the teaching of Rabne into the teachings of Janis to have the selection of content to include audio content.

As per Claim 13,30 Janis teaches that only allowing access for said particular user to a selection of services that are accessible via said particular authority-enabled system.

Janis discloses that the content is accessible via authority-enabled system (Col.5 Lines 63 - 65). Janis does not disclose a selection of audio content. However, Rabne et al, in an analogous environment disclose that the selection of an audio content (Abstract). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the teaching of Rabne into the teachings of Janis to have the selection of content to include audio content.

As per Claim 17 Janis teaches that the method for receiving a plurality of authority-designated settings associated with a particular user. Janis does not disclose extensible mark-up language data format, However, Rabne et al, in an analogous environment disclose the extensible mark-up language (Col. 18 Lines 4 - 7). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the teaching of Rabne into the teachings of Janis to have the extensible mark-up language data format. The motivation would have been to provide encoding of data.

As per Claim 34 Janis teaches that the method for receiving a plurality of authority-designated settings associated with a particular user. Janis does not disclose extensible mark-up language data format, However, Rabne et al, in an analogous environment disclose the extensible mark-up language (Col. 18 Lines 4 - 7). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the teaching of Rabne into the teachings of Janis to have the extensible mark-up language data format. The motivation would have been to provide encoding of data; and

Janis teaches that transmitting a record of authorization from said particular authority-enabled system to a portable data storage medium associated with said particular user, in response to determining that said particular type of content is included within said selection of said particular types of content (Fig. 2 Col.6 Lines 6 - 8).

3.2. Claims 15,16, 32, 33, 40 - 42, 44 - 54 and 56 - 63 are rejected under 35 U.S.C. 103(a) as being unpatentable over Janis (U.S. Patent No. 5,263,157) and in view of Bialick et al. (U.S. Patent No. 6,003,135)

As per Claim 15,32 Janis teaches that the method for enforcing an authority-designated access policy. Janis does not disclose the portable computer system. However, Bialick et al. in an analogous environment disclose that the portable data storage medium comprises a portable computer system (Col. 7 Lines 31 - 35). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the teachings of Bialick into the teachings of Janis to have the portable data storage medium to include a portable computer. The modification would have been obvious to provide an easy mobility.

As per Claim 16,33 Janis teaches that the method for enforcing an authority-designated access policy, Janis does not disclose a smart card. However, Bialick et al. in an analogous environment disclose that the portable computer system to include

a smart card (Col.18 Lines 34 - 38). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the teachings of Bialick into the teachings of Janis to have the portable computer include a smart card. The modification would have been obvious to provide security features.

As per Claims 40 and 52, Janis teaches that receiving entries for a plurality of authority-designated settings from a plurality of allowable authorities to said particular user (Col.2 Lines 40-45) Janis does not disclose a portable data storage medium associated with a particular user. However, Bialick et al. in an analogous environment disclose that the portable data storage medium comprises a portable computer system (Col. 7 Lines 31 - 35). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the teachings of Bialick into the teachings of Janis to have the portable data storage medium to include a portable computer. The modification would have been obvious to provide a easy mobility; and

transmitting said plurality of authority-designated settings from said portable data storage medium to a plurality of authority-enabled systems, wherein each of said plurality of authority-enabled systems controls access to at least one type of content (Fig.2 Col.6 Lines 6-8);

receiving and storing at said portable data storage medium an indication of authorization for said particular user to said at least one type of content controlled by one of said plurality of authority-enabled systems, such that authorization for content to said particular user is monitored at said portable data storage medium (Col.3 Lines 29-40).

As per Claims 41 and 53, Janis teaches that comparing a particular authority from whom an entry for an authority-designated setting is received with said plurality of allowable authorities designated at said portable data storage medium (Col.5 Lines 56-60); and

prior art system of this type teaches that only storing said entry for said authority-designated setting at said portable data storage medium, in response to authorization of said particular

authority in said plurality of allowable authorities, (Col.4 Lines 1 - 3).

As per Claims 42 and 54, Janis teaches that transmitting a request for access to a particular type of content from a portable computer system comprising said portable data storage medium to a remote computer system accessible to one of said plurality of allowable authorities (Fig.1 Col.5 Line 3); receiving an entry for a one-time access to said particular type of content from said remote computer system by said one of said plurality of allowable authorities at said portable computer system (Col.5 Line 65).

As per Claims 44 and 56, Janis teaches that filtering said plurality of authority-designated settings at a portable computer system comprising said portable data storage medium such that only a filtered selection from among said plurality of authority-designated settings are transmittable to said plurality of authority-enabled systems (Col.4 Lines 65-68).

As per Claims 45 and 57, Janis teaches that receiving said indication of authorization that indicates said particular user was allowed access to said at least one type of content controlled by said one of said plurality of authority-enabled systems (Col.5 Line 3).

As per Claims 46 and 58, Janis teaches that receiving said indication of authorization that indicates said particular user was denied access to said at least one type of content controlled by said one of said plurality of authority-enabled systems (Col.6 Lines 11-16).

As per Claims 47 and 59, Janis teaches that filtering said data stored at said portable data storage medium according to said plurality of authority-designated settings, in response to receiving a request for data stored at said portable data storage medium from a particular authority from among said plurality of allowable authorities (Col. Line 3) Janis does not teach that the filtering data at portable data storage medium by a portable computer system. However, Bialick et al. in an analogous environment disclose that the portable data storage medium comprises a portable computer system (Col. 7 Lines 31 - 35). Therefore, it would have been obvious to a person of

ordinary skill in the art at the time the invention was made to incorporate the teachings of Bialick into the teachings of Janis to have the portable data storage medium to include a portable computer. The modification would have been obvious to provide an easy mobility;

Janis teaches that
only allowing said particular authority to access said filtered data according to access privileges provided to said particular authority (Col.4 Lines 65-68).

As per Claims 48 and 60, Janis teaches that
receiving a plurality of user-designated preferences by said particular user at said portable data storage medium (Col.5 Line 3); and

transmitting said plurality of user-designated preferences with said plurality of authority-designated preferences to said plurality of authority-enabled systems (Col.3 Lines 29-40).

As per Claims 49 and 61, Janis teaches that
receiving a selection of a plurality of products that are enabled for access by said particular user via said authority-enabled system according to said authority-designated settings (Col.4 Lines 63 - 68).

As per Claims 50 and 62, Janis teaches that
receiving a selection of a plurality of media that are enabled for access by said particular user via said authority-enabled system according to said authority-designated settings (Col.4 Lines 28 - 37 and Lines 63 - 68).

As per Claims 51 and 63, Janis teaches that
receiving a selection of a plurality of services that are enabled for access by said particular user via said authority-enabled system according to said authority-designated settings (Col.2 Lines 40 - 45).

3.3. Claims 43 and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Janis (U.S. Patent No. 5,263,157) in view of Rabne et al. (U.S. Patent No. 6,006,332) and further in view of Bialick et al. (U.S. Patent No. 6,003,135)

As per Claims 43 and 55, Janis does not teach encrypting said plurality of authority-designated settings at a portable computer. However, Rabne et al, in an analogous environment disclose encrypting said plurality of authority-designated settings at a portable computer system comprising said portable data storage medium such that only a particular selection from among said plurality of authority-enabled systems are enabled to read said plurality of authority-designated settings (Col. 15 Lines 14 - 19). Bialick et al. in an analogous environment disclose that the portable data storage medium comprises a portable computer system (Col. 7 Lines 31 - 35). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the teaching of Rabne into the teachings of Janis and Bialick to encrypting the authority-designated settings. The motivation would have been to provide a better security and easy mobility of data.

Conclusion

4. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks, Washington, D.C.

20231 **or faxed to:** (703) 872-9306 for all formal communications.

Hand-delivered responses should be brought to Crystal Park II, 2121

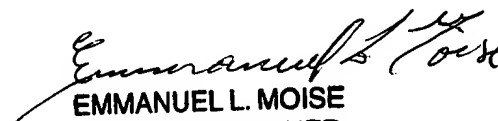
Crystal Drive, Arlington, VA, Fourth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pramila Parthasarathy whose telephone number is 703-305-8912. The examiner can normally be reached on 8:00a.m. To 5:00p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert Decady can be reached on 703-305-9595. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Pramila Parthasarathy
Patent Examiner
703-305-8912


EMMANUEL L. MOISE
PRIMARY EXAMINER

January 05, 2004